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CHAPTER 39
CLIENT SECURITY COMMISSION

Rule 39.6 Fund assessments.

39.6(1) Assessments. As a condition to continuing membership in the bar of the supreme court, including the right to practice law before Iowa courts, every bar member, except one to whom a certificate of exemption has been issued pursuant to the provisions of rule 39.7, shall pay to the commission through the office of professional regulation the assessment specified in rule 39.6(2), or assessments provided by court order, [subject to ~~rules~~ rule 39.6(3), ~~39.6(4), and 39.6(5)~~] annually to prevent defalcations and insofar as practicable to provide indemnification for losses caused to the public by dishonest conduct of members of the Iowa bar. Assessments shall be due on or before March 1 of each year, for that calendar year. A calendar year is defined as the period of time from January 1 through December 31.

39.6(2) Assessment schedule.

For the calendar year of the member's admission on examination to the bar of Iowa, and for the calendar year thereafter. None.

For the calendar year of the member's admission on motion to the bar of Iowa \$50.

For the years other than those heretofore exempted, up to and including the ~~fifth~~ sixth calendar year of admission to the bar of Iowa \$50 annually.

For the years after the ~~fifth~~ sixth calendar year of admission to the bar of Iowa ~~\$100~~ \$140 annually.

In making any of the above calculations, time spent full-time in the military service of the United States following admission to the Iowa bar and during the years under consideration shall be excluded.

~~**39.6(3) Alternative to fixed assessment.** Members of the bar of the supreme court may, at their election, instead of the fixed assessment set forth in rule 39.6(2), pay to the commission, as their assessment for any particular calendar year, an amount equal to one percent of their net income derived from the practice of law in Iowa for the preceding calendar year, but in no event less~~

1 than \$25. Net income from the practice of law shall be for the purposes of this
2 rule that amount shown on the federal income tax return of such members for
3 the appropriate year as "profit or loss from business or of their federal income
4 tax return for the appropriate year to substantiate the amount due hereunder.
5

6 **39.6(4) 39.6(3)** *Certificate of sufficiency.* The commission shall determine the
7 net value of the cash and securities in the fund for the purpose of preventing
8 defalcation as of December 1 of each year. Whenever the value of such assets
9 shall equal \$600,000 \$1,200,000 after deducting all claims and requests for
10 reimbursement against the fund, not disposed of at the date of valuation, and
11 all expenses properly chargeable against the fund, the commission shall file
12 with the supreme court prior to December 31 of such year a certificate to that
13 effect which shall be known as a certificate of sufficiency. When a certificate of
14 sufficiency is filed with the supreme court, the annual assessment set forth in
15 rule 39.6(2) for the next calendar year after the date of evaluation in said
16 certificate shall be waived for each member of the bar obligated under the
17 above schedule to pay any amount and who has paid assessments to the fund
18 in the total sum of \$200 in prior years notwithstanding anything heretofore or
19 hereinafter provided.
20

21 **39.6(5)** *Judges, government attorneys, corporate counsel.* In lieu of the
22 assessment set forth in rule 39.6(2), any member of the bar of the supreme
23 court who certifies in writing to the commission that the member is a justice,
24 judge, associate judge, or full time magistrate of any court, or one who
25 performs legal services only for a governmental unit, or one who performs legal
26 services only for a particular person, firm, or corporation (other than a
27 professional legal corporation or a law firm) and stands in the legal capacity
28 with such person, firm, or corporation as an employee, shall pay to the
29 commission an assessment of \$25 annually while so engaged, provided that if
30 under rule 39.6(4) the commission has filed a certificate of sufficiency with the
31 court then the annual assessment for each bar member referred to herein who
32 has paid to the commission a total of \$200 in assessments shall be waived
33 each year that the certificate of sufficiency is filed by the commission. Provided,
34 however, that a retired judge or justice recalled for temporary service shall not
35 be required to pay an assessment or surrender their certificate of exemption.
36